

BEFORE THE DIVISION OF MEDICAL QUALITY  
BOARD OF MEDICAL QUALITY ASSURANCE  
DEPARTMENT OF CONSUMER AFFAIRS  
OF THE STATE OF CALIFORNIA

In the Matter of the Accusation  
Against:

ALAN ROSENBLOOM, M. D.

Respondent.

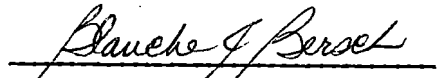
NO. D-1864

STIPULATION

The Stipulation set forth is herewith adopted as the order  
of the Board of Medical Quality Assurance.

This order shall become effective April 28, 1977.

DIVISION OF MEDICAL QUALITY  
BOARD OF MEDICAL QUALITY ASSURANCE

  
BLANCHE C. BERSCH  
Secretary-Treasurer

1 EVELLE J. YOUNGER, Attorney General  
2 DONALD A. GOLDMAN  
3 Deputy Attorney General  
4 3580 Wilshire Boulevard, Suite 800  
5 Los Angeles, California 90010  
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7 Attorneys for Complainant

8 BEFORE THE DIVISION OF MEDICAL QUALITY  
9 BOARD OF MEDICAL QUALITY ASSURANCE  
10 DEPARTMENT OF CONSUMER AFFAIRS  
11 STATE OF CALIFORNIA

12 In the Matter of the Accusation  
13 Against:

14 ALAN ROSENBLOOM, M.D.

15 Respondent.

NO. D-1864

STIPULATION IN SETTLEMENT

16  
17 IT IS HEREBY STIPULATED by and between the parties  
18 in the above entitled matter, as follows:

19 1. An Accusation No. D-1864, is currently pending  
20 against Alan Rosenbloom, M.D. (hereinafter referred to as  
21 "respondent"), before the Division of Medical Quality of the  
22 Board of Medical Quality Assurance (hereinafter referred to as  
23 the "Division").

24 2. Respondent has counseled with and is represented  
25 by the Law Offices of Garfield, Tepper & Ashworth.

26 3. Respondent is fully aware of the charges and  
27 allegations contained in said accusation on file with the  
28 Division and respondent has been fully advised with regard to  
29 his rights in this matter.

30 4. Respondent is fully aware of his right to a  
31 hearing on the charges and allegations contained in said  
32

1 accusation, his rights to reconsideration, appeal, and any and  
2 all other rights which may be accorded to him pursuant to the  
3 Administrative Procedure Act.

4 5. Respondent hereby freely and voluntarily waives  
5 his rights to a hearing, reconsideration, appeal and any and  
6 all other rights which may be accorded to him by the Administra-  
7 tive Procedure Act with regard to said accusation on file with  
8 the Division.

9 6. The accusation shall be amended as follows:

10 a) At page 7, lines 7-8 the words "and  
11 administering" shall be deleted.

12 b) At page 7, lines 10-12, subparagraph A  
13 shall be deleted and the following words  
14 shall be inserted in its place:

15 "A. The drugs obtained in the prescrip-  
16 tions as set forth hereinabove in paragraph 9  
17 were prescribed by respondent for Charline  
18 Rosenbloom."

19 c) At page 7, line 13, the words "and  
20 administered" shall be deleted.

21 d) At page 8 lines 29 and following, the  
22 following words shall be added after  
23 the word "prescription":

24 "Upon conviction, respondent was  
25 sentenced to three years' formal proba-  
26 tion (conditioned on his voluntary  
27 surrender of his federal Schedule II  
28 dispensing privileges), and fined the  
29 sum of \$800.00."

30 7. Respondent admits that the factual allegations  
31 contained in paragraphs 1, 2, 8, 9, 11, 13A (as amended),  
32 13B (as amended) and 15 (as amended) of said accusation are true.

1                   8. Based on the foregoing stipulated facts, cause  
2 for disciplinary action against respondent has been established  
3 under the provisions of sections 2360 and 2361 of the Business  
4 and Professions Code in connection with the violation of  
5 sections 2361(e), 2361.5, 2384, 2391.5 and 4390 of the Business  
6 and Professions Code and sections 11157 and 11173 of the Health  
7 and Safety Code.

8                   9. Respondent has made a showing that he has been  
9 rehabilitated and that under the proper terms and conditions of  
10 probation that he should remain in practice.

11                  10. The Division of Medical Quality shall issue the  
12 following order:

13                   The license No. C-19646 heretofore issued  
14 to Alan Rosenbloom, M.D., is revoked. Provided,  
15 however, that execution of said revocation shall be  
16 stayed, and said license shall be placed on probation  
17 for a period of five years on the following terms and  
18 conditions:

19                   A. That Alan Rosenbloom, M.D., comply  
20 with all laws of the United States, the State of  
21 California, its political subdivision, including all  
22 laws and regulations related to the practice of  
23 medicine and surgery.

24                   B. That Alan Rosenbloom shall surrender  
25 his federal Schedule II prescribing privileges for  
26 three years from the date thereof.

27                   C. Alan Rosenbloom shall report in person  
28 to the Board of Medical Quality Assurance at its  
29 regular annual meetings held in Los Angeles,  
30 commencing in 1977, and for each year thereafter  
31 during said period of probation upon notice from

1 the Board.

2 D. Alan Rosenbloom shall not practice  
3 medicine on Charline Rosenbloom.

4 E. Alan Rosenbloom shall place himself  
5 under the care of a competent psychiatrist of his  
6 own choosing and shall remain under such care until  
7 he is discharged as a patient by such psychiatrist.

8 F. Alan Rosenbloom shall initiate and  
9 submit to the Board of Medical Quality Assurance,  
10 at quarterly intervals, an affidavit to the effect  
11 that he has fully and faithfully complied with all  
12 the terms and conditions of the probation imposed  
13 therein.

14 G. Alan Rosenbloom shall fully cooperate  
15 with any representative of the Board, including,  
16 but not limited to the Probation Surveillance  
17 Officer.

18 In the event Alan Rosenbloom does not  
19 comply with the aforesaid terms and conditions of  
20 the stay granted for the full period thereof, the  
21 Board may, after notice to him, and after providing  
22 him with an opportunity to be heard, set aside the  
23 stay and reimpose the order of revocation or make  
24 such other order modifying or changing the stay  
25 order as it shall deem proper.

26 In the event Alan Rosenbloom complies  
27 with all such terms and conditions of the stay  
28 granted for the full period thereof, the order  
29 staying the revocation shall become permanent and  
30 his license shall be fully restored.

31 /

1 10. The within Stipulation shall be subject to the  
2 approval of the Division of Medical Quality. If the Division  
3 fails to approve this Stipulation it shall be of no force  
4 or effect for either party.

5 EVELLE J. YOUNGER, Attorney General  
6 DONALD A. GOLDMAN  
7 Deputy Attorney General

8 DATED:

Feb 1, 1977.

Donald A. Goldman  
DONALD A. GOLDMAN  
Deputy Attorney General

10 LAW OFFICES OF  
11 GARFIELD, TEPPER & ASHWORTH

12  
13 DATED:

January 28, 1977.

Scott J. Tepper  
SCOTT J. TEPPER  
Attorneys for Respondent

15  
16  
17 DATED:

January 28, 1977.

Alan Rosenbloom  
ALAN ROSENBLOOM

18 I have read and understand  
19 each of the terms of the  
20 Stipulation.  
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EVELLE J. YOUNGER, Attorney General  
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STATE OF CALIFORNIA

In the Matter of the Accusation  
Against:  
ALAN ROSENBLOOM, M.D.  
Respondent.

NO. D-1864

ACCUSATION

COMES NOW complainant Raymond M. Reid, who, as causes  
for disciplinary action, alleges that:

1. He is the Executive Officer of the Board of Medical  
Quality Assurance (hereinafter referred to as the "Board"), and  
makes and files this Accusation in his official capacity as such  
and not otherwise.

2. On or about November 23, 1970, the Board issued to  
Alan Rosenbloom (respondent herein and hereinafter referred to as  
"respondent"), Physician's and Surgeons' Certificate No. G-19646.  
Respondent was at all times mentioned herein, and now is, license  
to practice medicine in this state.

3. Sections 2360 and 2361 of the Business and  
Professions Code provide for disciplinary action against the  
holder of a physician's and surgeon's certificate who is guilty of  
unprofessional conduct.

1           4. Section 2391.5 of the Business and Professions  
2 Code provides that the violation of any of the statutes of this  
3 state regulating narcotics and dangerous drugs constitutes  
4 unprofessional conduct.

5           5. Section 11157 of the Health and Safety Code, a  
6 statute of the State of California regulating narcotics and  
7 dangerous drugs, provides that "No person shall issue a  
8 prescription that is false or fictitious in any respect."

9           6. Section 11173 of the Health and Safety Code, a  
10 statute of this state regulating narcotics and dangerous drugs  
11 provides, in part, that:

12           "(a) No person shall obtain or attempt to  
13 obtain controlled substances, or procure or attempt  
14 to procure the administration of or prescription for  
15 controlled substances, (1) by fraud, deceit, misrepre-  
16 sentation, or subterfuge; or (2) by the concealment  
17 of a material fact.

18           "(b) No person shall make a false statement  
19 in any prescription, order, report, or record, required  
20 by this division.

21           "(c) No person shall, for the purpose of  
22 obtaining controlled substances, falsely assume the  
23 title of, or represent himself to be, a manufacturer,  
24 wholesaler, pharmacist, physician, dentist, veterinarian,  
25 or other authorized person."

26           7. Section 4390 of the Business and Professions Code,  
27 a statute of this state regulating narcotics and dangerous drugs,  
28 provides that:

29           "Every person who signs the name of another,  
30 or of a fictitious person, or falsely makes, alters,  
31 forges, utters, publishes, passes, or attempts to pass,



1 as genuine, any prescription for any drugs . . . is  
2 guilty of a forgery and upon conviction thereof shall  
3 be punished by imprisonment in the state prison for  
4 not less than 1 year nor more than 14 years, or by  
5 imprisonment in the county jail for not more than  
6 1 year.

7 "Every person who has in his possession any  
8 drugs secured by such forged prescription shall be  
9 punished by imprisonment in the state prison for not  
10 less than one year nor more than six years, or by  
11 imprisonment in the county jail for not more than  
12 one year."

13 8. Demerol is a controlled substance within the meaning  
14 of section 11055 of the Health and Safety Code, a dangerous drug  
15 within the meaning of section 4211(k) of the Business and Profes-  
16 sions Code and a narcotic within the meaning of section 11019 of  
17 the Health and Safety Code.

18 9. Respondent is subject to disciplinary action  
19 pursuant to sections 2391.5, 2360 and 2361 of the Business and  
20 Professions Code in that he is guilty of unprofessional conduct  
21 in that he has violated sections 11157 and 11173 of the Health  
22 and Safety Code and section 4390 of the Business and Professions  
23 Code. The circumstances are as follows:

24 On or about the following dates respondent wrote  
25 prescriptions as set forth hereinafter for one Irving S. [REDACTED]  
26 for the drug Demerol. Said prescriptions were false in that the  
27 drugs were not intended for the use of Irving S. [REDACTED] but rather  
28 for the use of respondent's wife Charline Rosenbloom.

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	<u>PRESCRIPTION NUMBER</u>	<u>DATE</u>	<u>AMOUNT</u>	<u>STRENGTH</u>
1				
2				
3	0443J03	1-19-76	3 ampules	100 mg/ampule
4	0440J93	2-21-76	30 cc	50 mg/cc
5	0440J95	2-26-76	30 cc	50 mg/cc
6	0440J96	2-28-76	2 vials	100 mg/vial
7	0440J97	3-1-76	5 vials	100 mg/vial
8	0440J98	3-2-76	10 ampules	100 mg/ampule
9	0440J99	3-4-76	20 cc	50 mg/cc
10	7886J00	2-1-76	30 cc	50 mg/cc
11	7886J01	3-6-76	10 ampules	100 mg/ampule
12	7886J02	3-7-76	30 cc	50 mg/cc
13	7886J04	3-8-76	30 cc	50 mg/cc
14	7886J05	3-9-76	30 cc	50 mg/cc
15	7886J06	3-11-76	30 cc	50 mg/cc
16	7886J07	3-12-76	10 cc	50 mg tubes
17	7886J08	3-13-76	30 cc	50 mg/cc
18	7886J09	3-16-76	30 cc	50 mg/cc
19	7886J10	3-18-76	30 cc	50 mg/cc
20	7886J11	3-19-76	20 cc	100 mg/cc
21	7886J12	3-21-76	30 cc	50 mg/cc
22	7886J14	3-22-76	30 cc	50 mg/cc
23	7886J15	3-23-76	30 cc	50 mg/cc
24	7886J16	3-24-76	30 cc	50 mg/cc
25	7886J17	3-25-76	30 cc	50 mg/cc
26	7886J18	3-26-76	4 ampules	100 mg/cc
27	7886J19	3-27-76	30 cc	50 mg/cc
28	7886J20	3-27-76	30 cc	50 mg/cc
29	7886J21	3-28-76	30 cc	50 mg/cc
30	7886J22	3-30-76	30 cc	50 mg/cc
31	7886J23	3-31-76	30 cc	50 mg/cc

	<u>PRESCRIPTION NUMBER</u>	<u>DATE</u>	<u>AMOUNT</u>	<u>STRENGTH</u>
1				
2				
3	7886J24	4-1-76	30 cc	50 mg/cc
4	7886J26	4-2-76	30 cc	50 mg/cc
5	7886J27	4-4-76	30 cc	50 mg/cc
6	7886J28	4-5-76	30 cc	50 mg/cc
7	7886J30	4-6-76	30 cc	50 mg/cc
8	7886J31	4-7-76	30 cc	50 mg/cc
9	7886J32	4-12-76	30 cc	50 mg/cc
10	7886J33	4-13-76	30 cc	50 mg/cc
11	7886J34	4-14-76	30 cc	50 mg/cc
12	7886J35	4-16-76	30 cc	50 mg/cc
13	7886J36	4-18-76	30 cc	50 mg/cc
14	7886J37	4-19-76	30 cc	50 mg/cc
15	7886J38	4-20-76	30 cc	50 mg/cc
16	7886J39	4-21-76	30 cc	50 mg/cc
17	7886J40	4-22-76	30 cc	50 mg/cc
18	7886J41	4-22-76	30 cc	50 mg/cc
19	7886J42	4-23-76	30 cc	50 mg/cc
20	7886J43	4-24-76	30 cc	50 mg/cc
21	7886J44	4-24-76	30 cc	50 mg/cc
22	7886J47	4-25-76	30 cc	50 mg/cc
23	7886J48	4-27-76	30 cc	50 mg/cc
24	7886J49	?	30 cc	50 mg/cc
25	7886J50	4-29-76	30 cc	50 mg/cc
26	7886J51	4-30-76	30 cc	50 mg/cc
27	7886J52	5-1-76	30 cc	50 mg/cc
28	7886J53	5-2-76	30 cc	50 mg/cc
29	7886J54	5-3-76	30 cc	50 mg/cc
30	7886J55	5-4-76	30 cc	50 mg/cc
31	7886J57	5-6-76	30 cc	50 mg/cc

	<u>PRESCRIPTION NUMBER</u>	<u>DATE</u>	<u>AMOUNT</u>	<u>STRENGTH</u>
2				
3	7886J58	5-8-76	30 cc	50 mg/cc
4	7886J59	5-8-76	30 cc	50 mg/cc
5	7886J60	5-9-76	30 cc	50 mg/cc
6	7886J61	5-10-76	30 cc	50 mg/cc
7	7886J62	5-10-76	30 cc	50 mg/cc
8	7886J63	5-11-76	30 cc	50 mg/cc
9	7886J81	5-19-76	30 cc	50 mg/cc
10	7886J82	5-20-76	30 cc	50 mg/cc
11	7886J83	5-21-76	20 cc	100 mg/cc
12	7886J84	5-23-76	15 ampules	100 mg/ampule
13	7886J85	5-24-76	20 cc	100 mg/cc
14	7886J86	5-26-76	30 cc	50 mg/cc

15           10. Section 2361(e) of the Business and Professions  
16 Code provides that the commission of any act involving moral  
17 turpitude, dishonesty, or corruption, whether the act is committed  
18 in the course of the individual's activities as a certificate  
19 holder, or otherwise, or whether the act is a felony or a  
20 misdemeanor constitutes unprofessional conduct.

21           11. Respondent is subject to disciplinary action  
22 pursuant to sections 2361(e), 2360 and 2361 of the Business and  
23 Professions Code in that he is guilty of unprofessional conduct  
24 in that he has committed acts involving moral turpitude, dis-  
25 honesty or corruption. The circumstances are as follows:

26           The allegations set forth hereinabove in  
27 paragraph 9 are incorporated herein as if set forth  
28 at length.

29           12. Section 2361.5 of the Business and Professions  
30 Code provides in part that clearly excessive prescribing or  
31 administering of drugs which is detrimental to the patient as

1 determined by the customary practice and standards of the local  
2 community of licensees is unprofessional conduct.

3 13. Respondent is subject to disciplinary action  
4 pursuant to sections 2360 and 2361 of the Business and Professions  
5 Code in that he is guilty of unprofessional conduct within the  
6 meaning of section 2361.5 of the Business and Professions Code in  
7 that he has engaged in clearly excessive prescribing and  
8 administering of drugs to Charline Rosenbloom in the following  
9 particulars:

10 A. The drugs obtained in the prescription  
11 as set forth hereinabove in paragraph 10 were  
12 administered by respondent to Charline Rosenbloom.

13 B. Respondent prescribed and administered  
14 to Charline Rosenbloom the drug Demerol in the  
15 following amounts on the following dates:

16	<u>PRESCRIPTION</u> <u>NUMBER</u>	<u>DATE</u>	<u>AMOUNT</u>	<u>STRENGTH</u>
17				
18	0440J76	11-15-75	30 cc	50 mg/cc
19	2406J62	12-5-75	30 cc	50 mg/cc
20	2406J65	12-28-75	30 cc	50 mg/cc
21	2406J68	12-31-75	30 cc	50 mg/cc
22	1783I51	1-7-76	30 cc	50 mg/cc
23	0440J73	1-9-76	30 cc	50 mg/cc
24	0440J74	1-14-76	20 cc	100 mg/cc
25	0443J02	1-16-76	30 cc	50 mg/cc
26	0440J77	1-20-76	30 cc	50 mg/cc
27	0440J78	1-23-76	30 cc	50 mg/cc
28	0440J80	1-29-76	30 cc	50 mg/cc
29	0440J82	2-3-76	30 cc	50 mg/cc
30	0440J85	2-5-76	20 cc	100 mg/cc
31	0440J86	2-10-76	30 cc	50 mg/cc



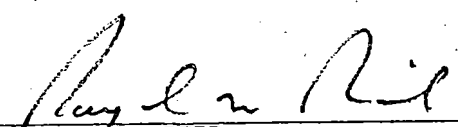
1 WHEREFORE, complainant prays that the Board hold a  
2 hearing on the matters alleged herein, and following said hearing  
3 issue an order:

4 1. Suspending or revoking the Physician's  
5 and Surgeon's Certificate No. G-19646 heretofore  
6 issued to respondent; and

7 2. Taking such other action as the Board in  
8 its discretion deems proper.

9 DATED: 8/31/76.

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RAYMOND M. REID  
Executive Officer  
Board of Medical Quality Assurance  
Complainant

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